

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF DOCUMENT DISCREPANCIES

To: U.S. District Judge / U.S. Magistrate Judge Philip S. Gutierrez

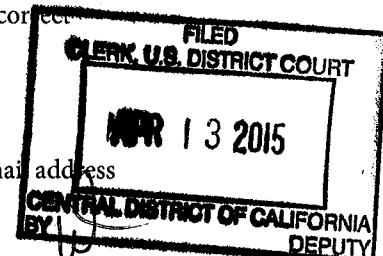
From: Andres _____, Deputy Clerk Date Received: 04/08/2015

Case No.: 2:15-cv-00948-PSG-JEM Case Title: Ralph Ronda et al v. Wells Fargo Bank

Document Entitled: Opposition to Motion to Dismiss

Upon the submission of the attached document(s), it was noted that the following discrepancies exist:

<input type="checkbox"/> Local Rule 5-4.1	Documents must be filed electronically
<input type="checkbox"/> Local Rule 6-1	Written notice of motion lacking or timeliness of notice incorrect
<input type="checkbox"/> Local Rule 7-19.1	Notice to other parties of ex parte application lacking
<input type="checkbox"/> Local Rule 7.1-1	No Certification of Interested Parties and/or no copies
<input type="checkbox"/> Local Rule 11-3.1	Document not legible
<input type="checkbox"/> Local Rule 11-3.8	Lacking name, address, phone, facsimile numbers, and e-mail address
<input type="checkbox"/> Local Rule 11-4.1	No copy provided for judge
<input type="checkbox"/> Local Rule 11-6	Memorandum/brief exceeds 25 pages
<input type="checkbox"/> Local Rule 11-8	Memorandum/brief exceeding 10 pages shall contain table of contents
<input type="checkbox"/> Local Rule 15-1	Proposed amended pleading not under separate cover
<input type="checkbox"/> Local Rule 16-7	Pretrial conference order not signed by all counsel
<input type="checkbox"/> Local Rule 19-1	Complaint/Petition includes more than 10 Does or fictitiously named parties
<input type="checkbox"/> Local Rule 56-1	Statement of uncontested facts and/or proposed judgment lacking
<input type="checkbox"/> Local Rule 56-2	Statement of genuine disputes of material fact lacking
<input type="checkbox"/> Local Rule 83-2.5	No letters to the judge
<input type="checkbox"/> Fed. R. Civ. P. 5	No proof of service attached to document(s)
<input checked="" type="checkbox"/> Other: Case closed on 4/6/15.	



Please refer to the Court's website at www.cacd.uscourts.gov for Local Rules, General Orders, and applicable forms.

ORDER OF THE JUDGE/MAGISTRATE JUDGE

IT IS HEREBY ORDERED:

The document is to be filed and processed. The filing date is ORDERED to be the date the document was stamped "received but not filed" with the Clerk. Counsel* is advised that any further failure to comply with the Local Rules may lead to penalties pursuant to Local Rule 83-7.

Date _____

U.S. District Judge / U.S. Magistrate Judge

The document is NOT to be filed, but instead REJECTED, and is ORDERED returned to counsel.* Counsel* shall immediately notify, in writing, all parties previously served with the attached documents that said documents have not been filed with the Court.

Date 4/13/15 _____

U.S. District Judge / U.S. Magistrate Judge

* The term "counsel" as used herein also includes any pro se party. See Local Rule 1-3.

RALPH A. RONDA
GLADYS M. RONDA
C/O 618 Glendora Ave #3
Covina, CA 91724
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Res212c1@msn.com

Petitioner in Pro Per

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA-WESTERN DIVISION**

RALPH A.RONDA &GLADYS
M.RONDA

Plaintiff,

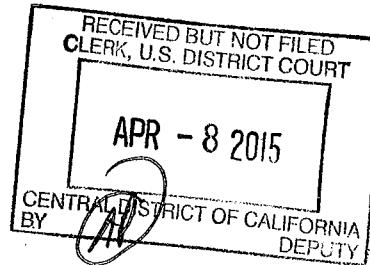
vs.

WELLS FARGO BANK

RESPONDENT

Case No:lacyv15-0948 PSG (JEMx)

**OPPOSITION TO MOTION TO
DISMISS PETITION FOR
TEMPORARY INJUNCTION**



INTRODUCTION TO THE MOTION

On February 10th 2015, a Petition for a “Temporary Injunction” was filed by the
“Plaintiff” Ralph A. Ronda at the “**UNITED STATES DISTRICT COURT OF**
CALIFORNIA WESTERN DIVISION” against “**WELLS FARGO BANK**”.

I was later contacted by phone by a gentlemen named "Jeremy Katz", who identified himself as the attorney representing Wells Fargo Bank. He wanted to set a time to meet up with me and I told him I would have to think about it; I subsequently sent him an e-mail letting him know that it would be in my family's best interest not to and proceed directly to court. Shortly after I received an opposition to dismiss my "Temporary Injunction "package from Mr. Katz.

1 It is to "The Motion to dismiss" that I will reply to at this time and the points
2 brought up by the Motion.

3

4 **RESPONSE TO INTRODUCTION ON MOTION TO DISMISS**

5

6 **RESPONSE TO "POINT ONE":**

7

8 On page 1, line 11, of the "**INTRODUCTION**" to the Motion to Dismiss
9 Document, the attorney states that my "...lawsuit is to avoid foreclosure."
10 I would like to respond to say that my primary purpose is in the nature of
11 "**DISCOVERY**", and I am seeking the court's assistance in getting answers to
12 the "**Qualified Written Report**" that I sent to "**Wells Fargo Bank**", asking
13 them for information which was never sent.

14

15 "On line 12 – 18 of the introduction page, the attorney lists 3 points and it is to
16 these 3 points that I will reply:

17 **1. Wells Fargo Bank** has no standing to foreclose because of "**Nonresponse**
18 and **Silence**" on their behalf for not replying to "**QWR and Writ in the**
19 **Nature of Discovery**" that was sent to them along with other documents in
20 the initial Package that I filed with the court on February 10th 2015;

21 **2. Wells Fargo Failed to respond to a "Qualified Written Request" in**
22 **violation of the RESPA 12 USC.**

23

24 **RESPONSE TO "POINT TWO":**

25

26 1) Wells Fargo has no standing because of their failure to respond to request
27 for specific information given to them in a form of a "Writ in the Nature of
28 Discovery" as well as a qualified written request under Exhibit A, Page 7-1

1 through 7-22 in "TRO" PACKAGE.

2) Wells Fargo has failed to respond to "QWR" according to "TRO" package
3 filed February 10th 2015, LACV-0948 PSG (JEMx) EXHIBIT A, Pages
4 7-1 through 7-22, RESPA USC 2605 E (1) (B) states:

5
6 "Any written document (such as a typed letter or a hand-written note) will
7 suffice as a "Qualified Written Request", although the request may not be
8 on the payment coupon or other payment media supplied by the servicer to
9 be considered a "QWR". The letter must be sent to the loan servicer
10 ("WELLS FARGO") not to any party related to the loan, and should identify
11 itself as a "Qualified Written Request" under Section 6."

12
13 Their "Silence and Non-Response" forced this "TRO" to be filed.

14
15 They have also violated "RESPA 12 CFR 1024.38 A, B, and C", which states:

16 A. "Provide accurate and timely disclosures to the borrower";
17 B. "Investigate, respond to, and make corrections in response to borrower's
18 complaints; and,
19 C. "Provide a borrower with accurate and timely information and documents in
20 response to the borrower's request for information with respect to the
21 borrower's mortgage loan.

22
23 **RESPONSE TO MOTION AND MOTION TO DISMISS**

24 "The attorneys for the respondent is filing a motion to dismiss based on (FRCP)
25 12(b)(6) that the PETITIONER fails to state a claim for which relief can be
26 Granted".

27 In my petition under "**1.JURISIDITICON ALLEGATIONS PAGE 4 III**
28 **REQUEST FOR RELIEF**" leading into page 5 starting on line 1-15 there are

1 Request made of the court of the following;

2 **Line 6 –15 Cancellation of documents of record and providing judgment for**
3 **Damages and refunds and granting such other and further relief as the**
4 **Circumstances may warrant, and in their attempt [pt to confiscate “what they**
5 **Don’t own “together with the violations for actual and compensatory damages**
6 **Statutory damages, punitive damages, treble damages, restitution ,including**
7 **The voiding of security interest, the clearing and quieting title to the property**
8 **And an injunction against filing foreclosure complaints present and future,**
9 **Into perpetuity, to return the “Note” and mortgage or the equivalent”**
10 **VALUE “and such other and further relief as the Court may deem reasonable**
11 **And just under the circumstances.**

12
13 There is a claim and value mentioned within the nature of relief based upon the
14 Courts decision and tender is mentioned in relation to the
15 “NOTE” (PROMISSORY NOTE WHICH IS TENDER AND ITS VALUE)
16 In my “QUALIFIED WRITTEN REQUEST” the Bank never proved ownership
17 of Mortgage Note due to information I asked for.

18 Wells Fargo v Reyes, 867 N.Y.S.2d 21(2008)

19 Wells Fargo, Litton, Loan v Farmer,867 N.Y.S. 2d 21 (2008)

20 U.S v. Tweel, 550 F 2d 297(1977) “silence can only be equated with fraud where
21 There is a legal or moral duty to speak or when an inquiry left unanswered would
22 Be intentionally misleading”

24 **IN RESPONSE OF BANKURPCY ALLEGATION- I DON’T KNOW**

26 **Dated: April 8, 2015**

RALPH A.RONDA/ IN PRO PER

1
2 **CERTIFICATE OF SERVICE**

3 At the time of service, I was over 18 years of age and not a party to this action. I
4 am employed in the City of LOS ANGELES, STATE OF CALIFORNIA. My
business address is 111 N. Hope St, Los Angeles Ca 90012

6 On April 8, 2015 I served true copies of the following documents(s):

7 **PLAINTIFF NOTICE OF MOTION AND OPPOSITION TO MOTION TO**
DISMISS TEMPORARY INJUNCTION

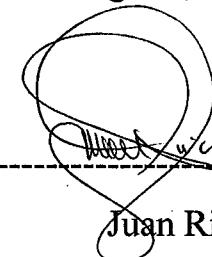
9 on the interested parties in this action as follows:

11 SEVERSON & WERSON
c/o JEREMY KATZ
12 19100 Von Karman Avenue, Suite 700
Irvine, CA 92612
13 Telephone: (949) 442-7110 : Facsimile: (949) 442-7118

15 **BY MAIL:** I enclosed the document(s) in a sealed envelope or package
Addressed to the person at the address listed in the Service List and placed the
16 envelope for collection and mailing, following ordinary business practices. On the
same day that the correspondence is placed for collection and mailing, it is
17 deposited in the ordinary course of business with the United States Postal Service,
in a sealed envelope with postage fully prepaid.

19 I declare under penalty of perjury under the laws of the United States of
America that the foregoing is true and correct.

21 Executed on April 8, 2015, at Los Angeles, California.

22
23
24
25 
Juan Rivas
26
27
28